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*****III**

REPORT

on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on the quality of petrol and diesel fuels and amending Directive 98/70/EC
(PE-CONS 3677/2002 – C5-0608/2002 – 2001/0107(COD))

European Parliament delegation to the Conciliation Committee

Rapporteur: Heidi Anneli Hautala

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

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PROCEDURAL PAGE

At the sitting of 29 November 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council directive on the quality of petrol and diesel fuels and amending Directive 98/70/EC (COM(2001) 241 – 2001/0107 (COD)).

At the sitting of 30 May 2002 the President of Parliament announced that the common position had been received and referred to the Committee on the Environment, Public Health and Consumer Policy (5117/1/2002 – C5-0183/2002).

At the sitting of 26 September 2002 Parliament adopted amendments to the common position.

By letter of 9 December 2002 the Council stated that it was unable to approve all Parliament's amendments.

The President of the Council, in agreement with the President of Parliament, convened a meeting of the Conciliation Committee on 10 December 2002.

At its meeting the Conciliation Committee considered the common position on the basis of the amendments proposed by Parliament.

At the same meeting it reached agreement on a joint text.

At its meeting of 10 December 2002 the Parliament delegation approved the results of the conciliation unanimously.

The following took part in the vote: Renzo Imbeni, Vice-President and Chairman of the delegation; Caroline F. Jackson, Chairman of the Committee on the Environment, Public Health and Consumer Policy; Heidi Anneli Hautala, rapporteur; María del Pilar Ayuso González, David Robert Bowie, Pernille Frahm, Robert Goodwill (for Charlotte Cederschiöld), Bernd Lange, Riitta Myller, Ria G.H.C. Oomen-Ruijten and Marit Paulsen (for Dirk Sterckx).

On 20 January 2003 the co-chairmen of the Conciliation Committee established that the joint text had been approved, pursuant to paragraph III.8 of the Joint declaration on practical arrangements for the new co-decision procedure,¹ and forwarded it to Parliament and the Council in all the official languages.

The report was tabled on 16 January 2003.

¹ OJ C 148, 28.5.1999, p. 1.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on the quality of petrol and diesel fuels and amending Directive 98/70/EC (PE-CONS 3677/2002 – C5-0608/2002 – 2001/0107(COD))

(Codecision procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3677/2002 – C5-0608/2002),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2001) 241²),
 - having regard to its position at second reading³ on the Council common position⁴,
 - having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2002) 604 - C5-0514/2002)⁵,
 - having regard to Article 251(5) of the EC Treaty,
 - having regard to Rule 83 of its Rules of Procedure,
 - having regard to the report of its delegation to the Conciliation Committee (A5-0003/2003),
1. Approves the joint text;
 2. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
 3. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council to have it published in the Official Journal of the European Communities;
 4. Instructs its President to forward this legislative resolution to the Council and Commission.

¹ OJ C 153 E of 27.6.2002, p. 253.

² OJ C 213 E of 31.7.2001, p. 255.

³ P5_TA-PROV(2002)0446.

⁴ OJ C 145 E of 18.6.2002, p. 71.

⁵ OJ C not yet published.

EXPLANATORY STATEMENT

Background

1. On 11 May 2001, the Commission submitted a proposal for a European Parliament and Council directive on the quality of petrol and diesel fuels and amending Directive 98/70/EC. The purpose of the proposal for a directive was to set a deadline by which petrol and diesel fuels should be on sale in the Member States with sulphur levels not exceeding 10 mg/kg (ppm) and to ensure that these fuels were offered for sale in a geographically balanced manner.
2. Parliament delivered its opinion on the proposal at first reading on 29 November 2001, adopting one amendment. The Commission amended its proposal on 12 December 2001 and the Council adopted its common position on 15 April 2002. On 26 September 2002, at second reading, Parliament adopted seven amendments.

Conciliation

3. Parliament's delegation held its constituent meeting in Strasbourg on 23 October 2002 and mandated its chairman, Renzo Imbeni, the committee chairman, Caroline Jackson, and the rapporteur, Heidi Anneli Hautala, to meet the Council in the trialogue.
4. After the trialogue meeting of 27 November 2002, COREPER approved the compromise package on 29 November 2002 and Parliament's delegation on 10 December 2002. The conciliation concerning the directive was initiated, and was concluded by the conciliation committee on 10 December 2002.
5. The main points agreed through the conciliation procedure may be summarised as follows:
 - As from 1 January 2009, the sulphur level in any petrol or diesel fuel offered for sale in the Community must not exceed 10 mg/kg. In the case of diesel fuel for use in mobile machinery, the quality standards are to be tightened up by means of a review to be completed by 31 December 2005. The aim is to bring the quality requirements which apply to fuel for mobile machinery into line with those which apply to fuel for road vehicles by the above deadline, which the Commission will confirm or amend in the course of the 2005 review.
 - The Member States will be required to ensure that by the beginning of 2005 low-sulphur petrol is available on a sufficiently balanced geographical basis. The instructions which the Commission draws up for the implementation of this instrument will take account of the special conditions in the most peripheral regions.
 - As part of the review, account will be taken of the consequences of mixing biofuels and, for example, the impact of this on the volatility of petrol, and if necessary a proposal will be made for amending CEN standard EN 228/1999.
 - The Member States will be urged to promote and support the use of tax incentives at the appropriate national or Community level.

Conclusion

The delegation considers the outcome of this conciliation procedure satisfactory from Parliament's point of view. It wishes to thank the Commission and the Danish Presidency for their cooperation with Parliament's delegation with a view to reaching agreement. It recommends that Parliament approve the joint text.